

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Glenn D. AUSTIN et al. )  
Serial Number: 09/921,016 ) Group Art Unit: 3764  
Filed: August 3, 2001 ) Examiner: TBA  
For: FEMALE CONDOM EMPLOYING ) Attorney Docket No. 00717.00008  
TENSEGRITY PRINCIPLE )

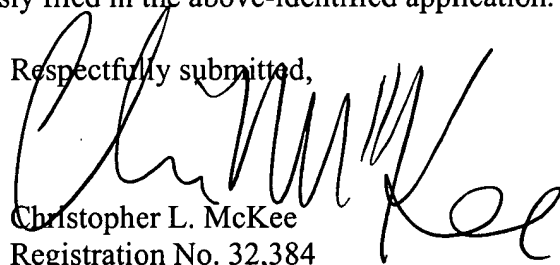
SUBMISSION OF FORMAL DRAWINGS

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

In accordance with the Notice To File Missing Parts of Nonprovisional Application dated September 7, 2001, submitted herewith are twelve (12) formal drawing sheets (Figs. 1-27) to be substituted for the set of informal drawings previously filed in the above-identified application.

Respectfully submitted,

  
Christopher L. McKee  
Registration No. 32,384

BANNER & WITCOFF, LTD.  
1001 G Street, N.W.  
Washington, D.C. 20001  
(202) 508-9100

Date: October 24, 2001



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Glenn D. AUSTIN et al

Serial Number: 09/921,016

Filed: August 3, 2001

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Group Art Unit: 3764

Examiner: TBA

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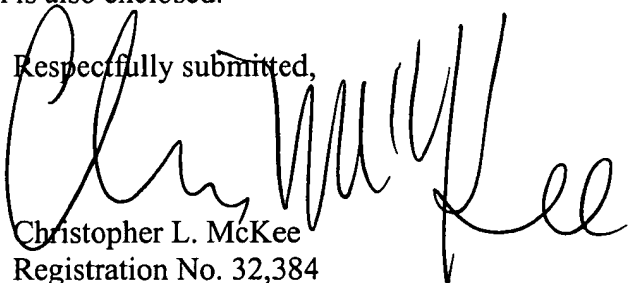
**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated September 7, 2001, applicants hereby submit an authorization to charge our Deposit Account No. 19-0733 for the necessary fees, a Declaration/Power of Attorney executed by applicants and substitute formal drawing sheets (Figs. 1-27) having appropriate margins. A copy of the Notice to File Missing Parts of Nonprovisional Application is also enclosed.

Respectfully submitted,

  
Christopher L. McKee  
Registration No. 32,384

BANNER & WITCOFF, LTD.  
Eleventh Floor  
1001 G Street, N.W.  
Washington, D.C. 20001-4597  
(202) 508-9100

Date: October 24, 2001

00921016 " 3764 1001 G STREET, N.W. WASHINGTON, D.C. 20001-4597 (202) 508-9100

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/921,016         | 08/03/2001          | Glenn D. Austin       | 00717.00008            |

22907  
BANNER & WITCOFF  
1001 G STREET N W  
SUITE 1100  
WASHINGTON, DC 20001

CONFIRMATION NO. 5841

FORMALITIES LETTER



\*OC000000006528325\*

Date Mailed: 09/07/2001



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$278. 10/25/2001 MBERHE 00000035 190733 09921016
  - \$198 for 22 total claims over 20. 01 FC:201 370.00 CH
  - \$80 for 2 independent claims over 3. 02 FC:203 198.00 CH
  - 03 FC:202 84.00 CH
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 698.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

10/25/2001 MBERHE 00000036 190733 09921016  
01 FC:205 65.00 CH

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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature, possibly reading 'K', is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|                        |                 |
|------------------------|-----------------|
| Application Number     | 09/921,016      |
| Filing Date            | August 3, 2001  |
| First Named Inventor   | Glenn D. AUSTIN |
| Group Art Unit         | 3764            |
| Examiner Name          | TBA             |
| Attorney Docket Number | 00717.00008     |

Total Number of Pages in This Submission

15

## ENCLOSURES (check all that apply)

☒ Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☒ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

☒ Assignment Papers (for an Application)

☒ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

- PTO/SB/08A (08-00) and references attached

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Christopher L. McKee, Reg. No. 32,384

Signature

Date

October 24, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: \_\_\_\_\_

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number: 09/921,016  
Filing Date: August 3, 2001  
First Named Inventor: Glenn D. AUSTIN  
Examiner Name: TBA  
Group / Art Unit: 3764  
Attorney Docket No.: 00717.00008

TOTAL AMOUNT OF PAYMENT (\$) 738.00

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

19-0733

Deposit Account Name

Banner & Witcoff, Ltd.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 710             | 201            | 355             | Utility filing fee     | 355      |
| 106            | 320             | 206            | 160             | Design filing fee      |          |
| 107            | 490             | 207            | 245             | Plant filing fee       |          |
| 108            | 710             | 208            | 355             | Reissue filing fee     |          |
| 114            | 150             | 214            | 75              | Provisional filing fee |          |

SUBTOTAL (1) (\$) 355.00

### 2. EXTRA CLAIM FEES

|                    |    |       |   |    |   |    |   |     |
|--------------------|----|-------|---|----|---|----|---|-----|
| Total Claims       | 42 | -20** | = | 22 | X | 9  | = | 198 |
| Independent Claims | 5  | -3**  | = | 2  | X | 40 | = | 80  |
| Multiple Dependent |    |       |   |    | X |    | = | 0   |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  |
|----------------|-----------------|----------------|-----------------|--|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                     |
| 102            | 80              | 202            | 40              | Independent claims in excess of 3                          |
| 104            | 270             | 204            | 135             | Multiple dependent claim, if not paid                      |
| 109            | 80              | 209            | 40              | ** Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 278.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 105            | 130             | 205            | 65              | Surcharge - late filing fee or oath  | 65       |
| 127            | 50              | 227            | 25              | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139            | 130             | 139            | 130             | Non-English specification  |          |
| 147            | 2,520           | 147            | 2,520           | For filing a request for reexamination                                     |          |
| 112            | 920*            | 112            | 920*            | Requesting publication of SIR prior to Examiner action                     |          |
| 113            | 1,840*          | 113            | 1,840*          | Requesting publication of SIR after Examiner action                        |          |
| 115            | 110             | 215            | 55              | Extension for reply within first month                                     |          |
| 116            | 390             | 216            | 195             | Extension for reply within second month                                    |          |
| 117            | 890             | 217            | 445             | Extension for reply within third month                                     |          |
| 118            | 1,390           | 218            | 695             | Extension for reply within fourth month                                    |          |
| 128            | 1,890           | 228            | 945             | Extension for reply within fifth month                                     |          |
| 119            | 310             | 219            | 155             | Notice of Appeal   |          |
| 120            | 310             | 220            | 155             | Filing a brief in support of an appeal                                     |          |
| 121            | 270             | 221            | 135             | Request for oral hearing   |          |
| 138            | 1,510           | 138            | 1,510           | Petition to institute a public use proceeding                              |          |
| 140            | 110             | 240            | 55              | Petition to revive - unavoidable   |          |
| 141            | 1,240           | 241            | 620             | Petition to revive - unintentional   |          |
| 142            | 1,240           | 242            | 620             | Utility issue fee (or reissue)   |          |
| 143            | 440             | 243            | 220             | Design issue fee   |          |
| 144            | 600             | 244            | 300             | Plant issue fee  |          |
| 122            | 130             | 122            | 130             | Petitions to the Commissioner  |          |
| 123            | 130             | 123            | 130             | Petitions related to provisional applications                              |          |
| 126            | 180             | 126            | 180             | Submission of Information Disclosure Stmt                                  |          |
| 581            | 40              | 581            | 40              | Recording each patent assignment per property (times number of properties) | 40       |
| 146            | 710             | 246            | 355             | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149            | 710             | 249            | 355             | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179            | 710             | 279            | 355             | Request for Continued Examination (RCE)                                    |          |
| 169            | 900             | 169            | 900             | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 105.00

## SUBMITTED BY

Name (Print/Type)

Christopher L. McKee

Registration No. Attorney/Agent

32,384

Telephone

202-508-9100

Signature

Date

October 24, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.